

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN KARL WAITSCHIES**, on January 29, 2003
at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Karl Waitschies, Chairman (R)
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Joe Balyeat (R)
Rep. Bob Bergren (D)
Rep. Ronald Devlin (R)
Rep. George Golie (D)
Rep. Jim Keane (D)
Rep. Bernie Olson (R)
Rep. Allen Rome (R)
Rep. Frank Smith (D)
Rep. Donald Steinbeisser (R)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Pati O'Reilly, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 139, HB 385, HB 412, 1/24/2003;

Executive Action: HB 185, HB 336

HEARING ON HB 139

Sponsor: REPRESENTATIVE CHRIS HARRIS, HD 30

Opening Statement by Sponsor:

REP. HARRIS introduced HB 139 would require that when you re-register your vehicle you will have to present proof of insurance.

EXHIBIT(trh19a01)

{Tape: 1; Side: A; Approx. Time Counter: 0 - 6.3}

Proponents' Testimony:

Verner Bertleson, Montana Senior Citizen Association, supports this bill.

{Tape: 1; Side: A; Approx. Time Counter: 6.3 - 7.1}

Opponents' Testimony:

Ronda Carpenter, Montana County Treasurers Association, is opposed to this bill simply because it has been tried before and it did not work.

{Tape: 1; Side: A; Approx. Time Counter: 7.1 - 8.7}

Roger McGlenn, Executive Director, Independent Insurance Agents Association of Montana, opposes this legislation. His clients are concerned about uninsured motorists but this bill is not the answer, it failed previously and won't work now.

{Tape: 1; Side: A; Approx. Time Counter: 8.7 - 11.2}

Robert Ward, Enterprise Rent-a-Car, opposes this bill.

{Tape: 1; Side: A; Approx. Time Counter: 11.2 - 12}

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. BOOKOUT-REINICKE, STEINBEISSER AND OLSEN questioned **Roger McGlenn** if this bill would create extra work for the county treasurer and how would they cover the extra costs.

{Tape: 1; Side: A; Approx. Time Counter: 12 - 20.4}

Closing by Sponsor:

REP. HARRIS closed with a short summary of the testimony and asked for a do pass.

{Tape: 1; Side: A; Approx. Time Counter: 20.4 - 21.5}

HEARING ON HB 385

Sponsor: REPRESENTATIVE NANCY FRITZ, HD 69

Opening Statement by Sponsor:

REP. FRITZ introduced HB 385 that is a bill that amends the Montana Lemon Law. It would change the law to apply to new vehicles bought in another state but registered for the first time in Montana. Current law covers cars bought in Montana.

{Tape: 1; Side: A; Approx. Time Counter: 21.5 - 23.9}

Proponents' Testimony:

Steve Turkiewicz, Montana Auto Dealers Association, support this bill.

{Tape: 1; Side: A; Approx. Time Counter: 23.9 - 24.9}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. BOOKOUT-REINICKE, BERGREN, KEANE, SMITH and WAITSCHIES questioned the sponsor about how this bill would be enforced and what agency would be responsible for enforcing this bill.

{Tape: 1; Side: A; Approx. Time Counter: 24.9 - 28.2}

Closing by Sponsor:

REP. FRITZ closed by asking for a do pass.

{Tape: 1; Side: A; Approx. Time Counter: 28.2 - 30}

HEARING ON HB 412

Sponsor: REPRESENTATIVE JILL COHENOUR, HD 51

Opening Statement by Sponsor:

REP. COHENOUR introduced HB 412 as a bill that would require certain vehicles that are not sold with fender aprons and mud flaps to be equipped with them.

{Tape: 1; Side: B; Approx. Time Counter: 0 - 2.3}

Proponents' Testimony:

Colonel Shawn Driscoll, Montana Highway Patrol, supports this bill.

{Tape: 1; Side: B; Approx. Time Counter: 2.3 - 4.6}

Opponents' Testimony:

Steve Turkiewicz, Montana Auto Dealers Association, is opposed to this bill because he is concerned with language and it will not work in their area. He wondered if this law would place the responsibility on the dealer to equip the vehicle and wanted to know who pays for the additional equipment.

{Tape: 1; Side: B; Approx. Time Counter: 4.6 - 8.5}

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. GOLIE, KEENE, BERGREN, and STEINBEISSER questioned the sponsor and the witnesses about who would be responsible and what type of offense would this be.

{Tape: 1; Side: B; Approx. Time Counter: 8.5 - 29}

Closing by Sponsor:

REP. COHENOUR closed with a request for the committee to pass this bill and she was agreeable to any amendments that would make this a better law.

{Tape: 1; Side: B; Approx. Time Counter: 29 - 31.2}

EXECUTIVE ACTION ON HB 336

Motion: REP. BOOKOUT-REINICKE moved that HB 336 DO PASS.

Motion/Vote: REP. WAITSCHIES moved that HB 336 BE AMENDED with 33603. Motion carried 12-1 with REP. GOLIE voting no by roll call vote.

EXHIBIT(trh19a02)

Motion: REP. BOOKOUT-REINICKE moved that HB 336 DO PASS AS AMENDED.

Motion: REP. BOOKOUT-REINICKE moved that HB 336 BE AMENDED with 33601.

EXHIBIT(trh19a03)

Motion: REP. GOLIE moved that HB 336 AMENDMENTS (Exhibit 3) BE SEGREGATED - 1 THRU 5 ON ONE VOTE AND 6 SEPARATED. Motion carried with 13-0.

Motion/Vote: REP. KEANE moved that HB 336 BE AMENDED with conceptual amendment TO DELETE SECTION 6 STRIKE "DIRECTLY ABOVE". Motion carried unanimously.

Motion: REP. KEANE moved that HB 336 BE AMENDED. Motion carried 12-1 with REP. Wilson voting no with roll call vote.

EXHIBIT(trh19a04)

Motion/Vote: REP. BOOKOUT-REINICKE moved that HB 336 BE AMENDED to change the \$1000 to \$5000. Motion failed 5-8 with REPS. BALYEAT, BOOKOUT-REINICKE, OLSON, SMITH, and WAITSCHIES voting aye with roll call vote.

Motion/Vote:

REP. BOOKOUT-REINICKE moved that HB 336 DO PASS AS AMENDED. Motion failed 6-7 with REPS. BALYEAT, BERGREN, BOOKOUT-REINICKE, GALLIK, KEANE, and WILSON voting aye by roll call vote.

Motion: REP. DEVLIN moved that HB 336 BE TABLED AND THE VOTE REVERSED. Motion passed 7-6 with REPS. BALYEAT, BERGREN, BOOKOUT-REINICKE, GALLIK, KEANE, and WILSON voting no.

{Tape: 2; Side: A; Approx. Time Counter: 0 - 30}

{Tape: 2; Side: B; Approx. Time Counter: 0 - 11.6}

EXECUTIVE ACTION ON HB 185

Motion: REP. WILSON moved that HB 185 DO PASS.

Motion/Vote: REP. WILSON moved that HB 185 BE AMENDED. Motion carried unanimously.

EXHIBIT(trh19a05)

Motion: REP. WILSON moved that HB 185 DO PASS AS AMENDED.

Motion/Vote: REP. KEANE moved that HB 185 BE AMENDED. Motion failed 2-11 with REPS. KEANE and SMITH voting aye with roll call vote.

EXHIBIT(trh19a06)

Motion/Vote: REP. WILSON moved that HB 185 DO PASS AS AMENDED. Motion carried 11-2 with REPS. GOLIE and KEANE voting no on a roll call vote.

ADJOURNMENT

Adjournment: 5:50 P.M.

REP. KARL WAITSCHIES, Chairman

PATI O'REILLY, Secretary

KW/PO

EXHIBIT (trh19aad)